APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,355	12/29/2000	James E. Pricer	9226	8429

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EXAMINER
STRANGE, AARON N

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/752,355	PRICER ET AL.
Office Action Summary	Examiner	Art Unit	
	Aaron Strange	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>21 July 2006</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-24</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 7/21/2006 have been fully considered but they are

not persuasive.

2.   Applicant's only argument is that "applicant finds nothing in either Muret or

Tsuchida to suggest this claim element [data ... is loaded into a single database table]"

(Page 8 of Remarks). Muret clearly discloses this claim element, and has been cited

below. Applicant has failed to provide any additional arguments, persuasive or

otherwise, and Applicant has failed to address the newly added claims (16-24).

3.   In the interest of expedited prosecution, the Examiner would like to note that the

quantity of tables in which collected data is stored is not likely to patentably distinguish

the present claims from the currently cited art. Even if Muret did not teach storing the

data in a single table, which it does, database tables are merely logical representations

of data stored in memory. The exact same data sets stored in the exact same locations

could be logically viewed as a single large table or a plurality of smaller tables.

Additionally, there are several reasons why someone may want to combine multiple

tables into a single table or separate a single table into multiple tables when logically

viewing the data, and it certainly would have been well within the skill set of one of

ordinary skill in the art to have done so if such an operation were desired.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Muret et al. (US 2002/0042821) in view of Tsuchida et al. (US 6,026,394).

6.   With regard to claim 1, Muret et al. disclose a method for use in tracking the

actions of an Internet user, comprising:

loading data from one or more transaction logs of one or more Internet servers

into a single database table (log engine loads log files into a table for processing) (¶51,

Lines 1-2 and ¶57), where the data includes an entry for each request to the Internet

server (¶51, Lines 4-6), including information identifying the which user submitted the

request (¶71, Lines 7-10) and information identifying the time at which the request was

received (¶55, Lines 1-5); and

selecting from the data all entries associated with a particular user and

corresponding to a single session of that user (¶71). Muret et al. fails to disclose that the

database system comprises plural parallel processing modules or executing a database

query across the plural parallel processing modules to select the entries from the data.

Tsuchida et al. teach the use of plural parallel processing modules as a means to

decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida

discloses a plurality of parallel processing modules including distribution nodes, join

nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These

nodes distribute the workload related to the query process, and work on it in parallel to

achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use plural parallel processing modules in the database

system to select the entries for a particular user from the data. This would have been

advantageous since it would have greatly sped up the process of sorting through the

data to select the desired entries.

7.   With regard to claim 2, Muret et al. further disclose that the step of selecting

includes selecting entries with time stamps lying in a predetermined range (¶71, Lines

10-13).

8.   With regard to claim 3, Muret et al. further disclose that the step of selecting

includes comparing time stamps of entries and selecting each entry for which the time

stamp differs from the time stamp of another entry by less than a predetermined amount

(¶71, Lines 10-13).

9.   With regard to claim 4, Muret et al. further disclose that the step of selecting

includes selecting each entry for which the time stamp differs from the time stamp of

another entry by less than 30 minutes (¶71, Lines 10-13).

10.   With regard to claim 5, Muret et al. further disclose sorting the selected entries

chronologically to reconstruct the user's clickstream (¶72, Lines 4-5).

11.   With regard to claim 6, Muret et al. disclose a computer program for use in   ′

tracking the actions of an Internet user, the program comprising executable instructions

that cause one or more computers to:

        load data from one or more transaction logs of one or more Internet servers into

a single database table (log engine loads log files into a table for processing) (¶51,

Lines 1-2 and ¶57), where the data includes an entry for each request to the Internet

server (¶51, Lines 4-6), including information identifying the which user submitted the

request (¶71, Lines 7-10) and information identifying the time at which the request was

received ¶55, Lines 1-5); and

        select all entries associated with a particular user and corresponding to a single

session of that user (¶71). Muret et al. fails to disclose that the database system

comprises plural parallel processing modules or executing a database quesry across

the plural parallel processing modules to select the entries from the data.

        Tsuchida et al. teach the use of plural parallel processing modules as a means to

decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida

discloses a plurality of parallel processing modules including distribution nodes, join

nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These

nodes distribute the workload related to the query process, and work on it in parallel to

achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use plural parallel processing modules in the database

system to select the entries for a particular user from the data. This would have been

advantageous since it would have greatly sped up the process of sorting through the

data to select the desired entries.

12.   With regard to claim 7, Muret et al. further disclose that, in selecting entries, the

computer selects entries with time stamps lying in a predetermined range (¶71, Lines

10-13).

13.   With regard to claim 8, Muret et al. further disclose that, in selecting entries, the

computer compares time stamps of entries and selects each entry for which the time

stamp differs from the time stamp of another entry by less than a predetermined amount

(¶71, Lines 10-13).

14.   With regard to claim 9, Muret et al. further disclose that, in selecting entries, the

computer selects each entry for which the time stamp differs from the time stamp of

another entry by less than 30 minutes (¶71, Lines 10-13).

15.   With regard to claim 10, Muret et al. further disclose that the computer sorts the

selected entries chronologically to reconstruct the user's clickstream (¶72, Lines 4-5).

16.   With regard to claim 11, Muret et al. disclose a database system comprising:

        one or more data-storage facilities (database) (Fig 1, 300) for use in storing data

received from one or more transaction logs of one or more Internet server computers

(¶51), where the data includes an entry for each request to the Internet server

computers (¶51, Lines 4-6), including information identifying the which user submitted

the request (¶71, Lines 7-10) and information identifying the time at which the request

was received (¶55, Lines 1-5); and

        one or more processing modules configured to manage the data stored in the

data storage facilities (log engine) (¶57); and

        a database-management component configured to select from the data all

entries associated with a particular user and corresponding to a single session of that

user (¶71). Muret et al. fails to disclose that the database system comprises plural

parallel processing modules or executing a database query across the plural parallel

processing modules to select the entries from the data;

where the data received from the one or more transaction logs is loaded into a

single database table (log engine loads log files into a table for processing) (¶51 and

57).

Tsuchida et al. teach the use of plural parallel processing modules as a means to

decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida

discloses a plurality of parallel processing modules including distribution nodes, join

nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These

nodes distribute the workload related to the query process, and work on it in parallel to

achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use plural parallel processing modules in the database

system to select the entries for a particular user from the data. This would have been

advantageous since it would have greatly sped up the process of sorting through the

data to select the desired entries.

17.   With regard to claim 12, Muret et al. further disclose that the database-

management component is configured to select entries with time stamps lying in a

predetermined range (¶71, Lines 10-13).

18.   With regard to claim 13, Muret et al. further disclose that the database-

management component is configured to compare time stamps of entries and select

each entry for which the time stamp differs from the time stamp of another entry by less

than a predetermined amount (¶71, Lines 10-13).

19.   With regard to claim 14, Muret et al. further disclose that the database-

management component is configured to select each entry for which the time stamp

differs from the time stamp of another entry by less than 30 minutes (¶71, Lines 10-13).

20.   With regard to claim 15, Muret et al. further disclose that the database-

management component is configured to sort the selected entries chronologically to

reconstruct the user's clickstream (¶72, Lines 4-5).

21.   With regard to claim 16, Muret further discloses processing the data loaded into a

single database table to extract each entry in the single database table the information

identifying which user submitted the request (IP address) and the information identifying

the time at which the request was received (timestamp) (at least ¶55).

22.   With regard to claim 17, Muret further discloses storing the extracted information

in a database table having multiple columns, one for the information identifying which

user submitted the request, and another for the information identifying the time at which

the request was received (each line is separated into several fields, including IP/session

ID and timestamp) (at least ¶55 and 71).

23.   With regard to claim 18, Muret further discloses that loading data into a single

database table includes loading data into a table having a single column, where the

single column includes a row for each entry in the one or more transaction logs of the

one or more Internet servers (at least ¶51 and 55).

24.   Claims 19-21 are rejected under the same rationale as claims 16-18, since they

recite substantially identical subject matter. Any differences between the claims do not

result in patentably distinct claims and all of the limitations are taught by the above cited

art.

25.   Claims 22-24 are rejected under the same rationale as claim 17, since they recite

substantially identical subject matter. Any differences between the claims do not result

in patentably distinct claims and all of the limitations are taught by the above cited art.
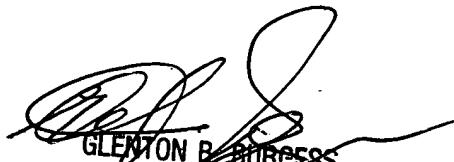

Conclusion

26.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Aaron Strange whose telephone number is 571-272-

3959. The examiner can normally be reached on M-F 8:30-5:00.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AS
9/18/06

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